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C O N F I D E N T I A L SECTION 01 OF 02 USUN NEW YORK 000305

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SUBJECT: MONCHEGORSK: IRAN/SYRIA REBUFF SANCTIONS COMMITTEE

REF: USUN 243

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Classified By: Amb. Alex Wolff for reasons 1.4 (b) and (d)

**¶1. (C) SUMMARY:** Iran and Syria effectively rebuffed a request from the UN Security Council's Iran Sanctions Committee for information regarding a vessel found carrying Iranian arms to Syria in violation of UN sanctions. Syria answered with an anti-Israel screed that implicitly acknowledged its role in the violation; Iran did not respond by the requested deadline of March 23. The Iran Sanctions Committee will now consider an appropriate response to this incident. USUN proposes that the Committee notify all UN Member States to be alert for sanctions violations in similar circumstances, particularly involving the Iranian Republic of Iran Shipping Line; the Committee should also send a final round of letters to the involved parties (Iran, Syria, Cyprus) reminding them of their obligations under the UN Charter. These options would shine a spotlight on the actual violation, deter additional violations and lay the groundwork for possible future action. More muscular Committee responses -- such as new sanctions designations or Security Council action -- could break the Committee's consensus at this stage. USUN requests guidance on next steps. END SUMMARY.

IRAN AND SYRIA REFUSE TO PLAY BALL

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**¶2. (C)** Iran and Syria effectively rebuffed a request from the UN Security Council's Iran Sanctions Committee for more information regarding the M/V Monchegorsk, a Cypriot-flagged vessel found carrying Iranian arms to Syria in violation of UN Security Council sanctions resolutions. On March 9, Japanese Perm Rep Yukio Takasu, chair of the Iran Sanctions Committee, wrote to these two parties requesting information about this incident within ten working days, i.e., by Monday March 23 (reftel).

**¶3. (C)** Syria replied to the Committee on March 18 with a letter (para 9) that, while not denying the allegation, asserted the international community's "double standard" when it comes to Israel and the violation of Security Council resolutions. In an implicit acknowledgement that it was procuring arms, Syria complained about the denial of "the legitimate right of Arab States to possess the means that would enable them to defend themselves against Israeli aggression and arrogance."

**¶4. (C)** Iran chose to rebuff the Committee entirely and did not respond by the March 23 deadline. The Iranian UN mission confirmed to the Japanese on that day that they had received no instructions from their capital on the matter. The

Iranians complained that Tehran was unable to generate a timely response due to Iran's new years holidays. The Japanese warned them that not replying at all could hurt Iran's image.

NOW WHAT? OPTIONS FOR A MEASURED RESPONSE

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15. (C) The Iran Sanctions Committee, which has previously considered only minor sanctions violations, will now discuss possible responses to this incident. Our low-key approach to this issue -- including a conscious effort to minimize the perceived U.S. role -- has succeeded in bringing other Committee members around to our point of view that a violation has indeed occurred. This unanimous Committee determination, which has become known publicly, has already sent positive signals about the need to respect Security Council resolutions.

16. (C) Nevertheless, the gravity of this violation calls for the Committee to take additional action. USUN has quietly discussed with P-3 counterparts the following two measured options for a Committee response:

-- SEND A NOTE VERBALE TO ALL MEMBER STATES: The Committee could send a notification (Note Verbale) to all UN Member States that would: 1) note the facts of the Monchegorsk incident, 2) urge states to be alert for sanctions violations in similar circumstances, and 3) urge enhanced vigilance over the Islamic Republic of Iran Shipping Line (IRISL), the operator of the Monchegorsk. (NOTE: In UNSCR 1803, the Security Council fingered IRISL as being linked to the transport of prohibited proliferation-sensitive goods. END NOTE). This notification could give states political cover

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to inspect more cargo (especially on IRISL-chartered vessels) and encourage them to forward to the Committee evidence of additional sanctions violations.

-- SEND FINAL LETTERS: The Committee could also send a final round of letters to the three parties (Iran, Syria, Cyprus) summarizing the Committee's key conclusions and reminding the states of their obligations under the UN Charter. These letters, the tone and content of which would be tailored to each party's behavior and level of cooperation in this incident, would give the Committee the final word on the matter. Their delivery could then be highlighted during the Japanese chair's next 90-day public report to the Security Council in June. (NOTE: In a final letter to Cyprus, we can reiterate the need for Cyprus to retain the cargo and repeat the request -- never answered by Nicosia -- to provide additional information about the cargo's ownership. END NOTE)

17. (C) These two options would shine a spotlight on this sanctions violation, deter additional violations and increase costs for those who might seek to violate sanctions in the future. These texts would also comprise an agreed set of facts about Iran's sanctions-busting activities -- this could help highlight other violations in the future or even inform an additional round of UN sanctions. More muscular Committee responses, such as designating IRISL itself for sanctions or raising the Monchegorsk in a Security Council discussion, are likely to break the consensus we have on this issue.

18. (C) ACTION REQUEST -- USUN asks Washington to review these options and provide guidance on next steps.

19. (SBU) BEGIN TEXT OF SYRIAN RESPONSE:

Sir,

With reference to your letter of 9 March 2009 concerning the Cypriot-flagged vessel that is alleged to have acted in violation of paragraph five of Security Council resolution 1747 (2007), the Syrian Arab Republic would like to emphasize

that its Government has always been one of the most active in calling on Member State to respect the Organization's resolutions, even though the Syrian Arab Republic and the countries of the Middle East region have witnessed Israel's continued scorn for Security Council resolutions and those of other United Nations bodies. By turning a blind eye to Israel's violation of international resolutions and taking a pro-Israel position, the international community has caused great resentment in our region and raised doubts about the gravity with which it views the violation of its resolutions and the policy of double standards it practices in that regard.

The Syrian Arab Republic is of the view that the question of the Cypriot-flagged vessel and the attendant biased media campaign, which randomly accused Syria of violating United Nations resolutions, is a clear example of the policy of double standards. Ever since its creation, Israel has not only continually flouted United Nations resolutions by importing and manufacturing all types of conventional weapons and weapons of mass destruction, but it has used those weapons to attack its neighbors and defenseless civilians, as we so clearly saw in the recent Israeli aggression against Gaza. What is even more dangerous is that with the indulgence of the international community, certain influential countries are acting as the self-appointed policemen over the region and its countries, denying the legitimate right of Arab States to possess the means that would enable them to defend themselves against Israeli aggression and arrogance.

By putting these facts before you, we hope to put an end to this matter, with the aim of upholding the integrity of the United Nations and its mechanisms.

Accept, Sir, the assurances of my highest consideration.

//END TEXT//  
Wolff